



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202 – 2733

July 17, 2017

Becky Keogh
Director
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

Re: EPA Action on Arkansas's 2010, 2012, 2014, and 2016 § 303(d) Lists

Dear Ms. Keogh:

Thank you for your submission of the 2010, 2012, 2014, and 2016 State of Arkansas § 303(d)/§ 305(b) Integrated Reports, which contain Arkansas Section 303(d) lists of water quality limited segments. The U.S. Environmental Protection Agency received the Arkansas Department of Environmental Quality's submissions on April 1, 2010, March 30, 2012, April 1, 2014, and April 1, 2016 respectively.

Because EPA had not taken final action on Arkansas's 2010, 2012, and 2014 submissions before Arkansas made its 2016 submission, EPA has coordinated its review of Arkansas four § 303(d) lists. EPA is taking concurrent actions on the 2010, 2012, 2014 and 2016 Section 303(d) submissions.

Based on the review of the Section 303(d) lists, the EPA is taking a partial approval/further review pending action on Arkansas 2010, 2012, 2014, and 2016 lists. Specifically, the EPA approves the State's decisions to list all the water bodies identified on Arkansas list submissions, these are identified in Enclosure 1. For all CWA purposes, the most recent EPA-approved listings constitute the applicable list of impaired waters in the State of Arkansas. Review of the submitted draft list yielded fifty-two (52) water body pollutant pairs which require further investigation. Through conversations with Arkansas, it was determined that three (3) of these waters require no further action as EPA and Arkansas now agree on the attainment status of these waters; therefore, the EPA is deferring action on forty-five (45) potential water body pollutant pairs to allow continued review of all existing and readily available water quality related data and to coordinate with Arkansas. Further details of our 'partial approval/further review pending action are provided in Enclosure 2.

In accordance with 40 C.F.R. § 130.7(b)(5), States are required to "assemble and evaluate all existing and readily available water quality-related data and information to develop the list"

required by Section 303(d) of the CWA and 40 C.F.R. § 130.7(b)(1). The EPA has concluded that Arkansas has met the requirements of 40 CFR § 130.7(b)(5) with regards to all the waters listed in Enclosure 1. The EPA is not making any decision regarding the State's decision to not list forty-five (45) potential water body pollutant pairs, and will continue to review all existing and readily available water quality related data on these waters.

Thank you for your efforts in developing Arkansas's 2010, 2012, 2014 and 2016 Integrated Reports. The EPA Region 6 anticipates working with you and your staff over the coming months as we complete our evaluation of these 45 water body segment pollutant pairs. If you would like to discuss this action further, please contact me at (214) 665-7101 or Richard Wooster of my staff at (214) 665-6473.

Sincerely,

William K. Honker, P.E.
Director
Water Division

Enclosures (2)

1. State of Arkansas's Approved 2016 § 303(d) List with Deferred Waterbody Pollutant Pairs
2. Review of Arkansas's 2010, 2012, 2014, and 2016 Section 303(d) Waterbody Lists

cc: Sarah Clem, Arkansas Department of Environmental Quality